I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP NON-FEE AMENDMENT, COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450 on

Tanuary 15, 2004

Tammie B. McFarland

Date of Signature

JAN 2 0 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
Serrano et al.

Serial No.: 10/724,445) Art Unit: Unknown

Filed: November 26, 2003) Examiner: Unknown

Title: FIBER OPTIC INSTALLATION

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SURFACE, DUCTS, AND METHODS

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the filing date of the application, but, to the best of Applicants' knowledge, before the mailing date of a first Office Action on the merits.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

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Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 19-2167. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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Telephone: 828/901-6725

Date: January 14, 2004

| | Paten | J.S. Departmen t and Trademan DOCUMENT | rk Office | Attorney Docket Number: C0034 | | Serial Number: 10/724,445 | | |
|--------------|-------|---|------------|-------------------------------|-------------------|------------------------------|----------|--------|
| TPE | | several sheets i | | Applicant: Serrano et al. | | | | |
| 2 11 20114 5 | 1 | | | Applicant: Se | | | | |
| 2 0 2004 5 | / | | | | Filing Date: 1 | November 26, | 2003 | Group: |
| TRADEMION | | | U. S | . PATENT DO | CUMENTS | T | ī | |
| MAIL | AY | 06-109931 | 4/22/94 | Japan | | G02B | 6/00 | No |
| | AZ | 4203718A1 | 8/12/93 | Germany | | H02G | 9/06 | No |
| | BA | 4115907A1 | 11/19/92 | Germany | | H02G | 1/06 | No |
| | BB | 92/13227 | 8/6/92 | PCT | | F16L | 57/00 | No |
| | ВС | 4023762A1 | 1/30/92 | Germany | | H02G | 1/06 | No |
| | BD | 91/12119 | 8/22/91 | PCT | | B29B | 47/06 | No |
| | BE | 2677137 | 5/29/91 | France | | G02B | 6/40 | No |
| | BF | 1574660 | 9/10/80 | Great Britain | | G02B | 5/16 | No |
| | BG | 03-102231 | 4/26/91 | Japan | | G01K | 11/12 | No |
| | ВН | 90/10879 | 9/20/90 | PCT | | G01V | 3/08 | No |
| | BI | 3710038A1 | 10/20/88 | Germany | | E01C | 23/09 | No |
| | ВЈ | 61-107306 | 5/26/86 | Japan | | G02B | 6/44 | .No · |
| | BK | 60-014208 | 1/24/85 | Japan | | G02B | 6/44 | · No |
| | BL | 8422532.7 | 1/31/85 | Germany | | G02G | 1/08 | No |
| | ВМ | 57-195206 | 11/30/82 | Japan | | G02B | 5/16 | No |
| | BN | 3001226A1 | 8/7/80 | Germany | | H02G | 9/00 | No |
| | во | 2735079A1 | 3/2/78 | Germany | ,, | G02B | 5/14 | No |
| | BP | 2003635A | 7/6/78 | United Kingd | om | E01F | 11/00 | No |
| · | BQ | 7606741 | 9/9/76 | Germany | | H02G | 9/04 | No |
| i | | OTHER DOC | CUMENTS (I | icluding Autho | r, Title, Date, P | ertinent Pages | s, Etc.) | |
| | BQ | | | · | | | | |
| | BR | | | | | | | *, *** |
| | BS | | | | | | | |
| EXAMINER | BS | <u> </u> | | | | | | |

| UST PERM | Paten | J.S. Department t and Trademar DOCUMENTS several sheets if | k Office S CITED BY A | Attorney Docket Number: C0034 | | Serial Number: 10/724,445 | | | |
|---------------------|-------|--|--------------------------|----------------------------------|---------------|------------------------------|----------|-------------------------|--|
| | 701 | | | | Applicant: Se | rrano et al. | | | |
| THM 5 U SOU | | | | Filing Date: November 26, 2003 | | | Group: | | |
| TENTE TRANSP | | | II S | DCUMENTS | | | | | |
| Examiner Initial | | Document Number | Date | | ame | Class | Subclass | Filing Date | |
| | AA | 5,467,420 | 11/14/95 | Rohrmann et | al. | 385 | 101 | 4/8/94 | |
| | AB | 5,122,750 | 6/16/92 | Rippingale et al. | | 324 | 326 | 3/5/91 | |
| | AC | 5,017,873 | 5/21/91 | Rippingale et | al. | 324 | 326 | 5/18/90 | |
| | AD | 5,006,806 | 4/9/91 | Rippingale et | al. | 324 | 326 | 10/30/89 | |
| | AE | 4,892,442 | 1/9/90 | Shoffner | | 405 | 154 | 3/3/87 | |
| | AF | 4,896,997 | 1/30/90 | Gaylin | | 405 | 156 | 9/27/85 | |
| | AG | 4,812,078 | 3/14/89 | Rivard | | 405 | 179 | 6/19/87 | |
| | АН | 4,785,559 | 11/22/88 | Hentschel | | 37 | 94 | 3/30/87 | |
| | AI | 4,464,082 | 8/7/84 | Isaacs | | 405 | 157 | 5/13/83 | |
| | AJ | 4,395,834 | 8/2/83 | Davison | | 37 | 98 | 11/10/81 | |
| | AK | 4,239,336 | 12/16/80 | Parfree et al. | | 350 | 96.23 | 12/1/78 | |
| • | AL | 4,063,429 | 12/20/77 | Wilson | | 61 | 105 | 7/14/75 | |
| | AM | 4,006,315 | 2/1/77 | Halstead | | 179 | 82 | 8/7/75 | |
| | AN | 3,952,532 | 4/27/76 | Spearman | | 61 | 72.4 | 4/23/75 | |
| | AO | 3,757,529 | 9/11/73 | Kaercher, Jr. | | 61 | 72.6 | 4/4/72 | |
| | AP | 3,722,225 | `3/27/73 | Empson | | 61 | 72.1 | 11/2/70 | |
| | AQ | 3,702,062 | 11/7/72 | Olson | | 61 | 72.6 | 9/9/70 | |
| | | | FOREI | GN PATENT | DOCUMENTS | | | | |
| | | Document Number | Date | Со | untry | Class | Subclass | Translation Yes No | |
| | AR | 19623482A1 | 12/18/97 | Germany | | G02B | 6/36 | No | |
| | AS | 19601576A1 | 7/24/97 | Germany | | G02B | 6/36 | No | |
| | AT | 875015B1 | 10/20/99 | Europe | | G02B | 6/44 . | No | |
| | AU | 0553991B1 | 12/11/96 | Europe | | G02B | 6/44 | No | |
| | AV | 08-136780 | 5/31/96 | Japan | | G02B | 6/46 | No | |
| | AW | 08-103012 | 4/16/96 | Japan | | H02G | 1/08 | No | |
| | AX | 0419637B1 | 11/30/94 | Europe | | G01V | 3/08 | No | |